

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAVIER VALDIVIEZ and
LUZ HIGINIA RUELAS CORRAL,

Plaintiffs,

v.

1:24-cv-00241-MV-JMR

BRIDGESTONE AMERICAS
TIRE OPERATIONS, LLC,

Defendant.

**ORDER OVERRULING OBJECTIONS AND ADOPTING THE MAGISTRATE
JUDGE'S PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition (“PFRD”) and Order Denying Motion for Discovery (“order”) on August 1, 2024. Doc. 18. The PFRD and order notified the parties of their ability to file objections within 14 days, and that failure to do so waived appellate review. *Id.* at 17. On August 15, 2024, Defendant filed objections to the Magistrate Judge’s PFRD. Doc. 19. Plaintiffs filed a response to the objections on August 28, 2024. Doc. 20.

Pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, the Court has conducted a de novo review of the record and all parts of the Magistrate Judge’s PFRD that have been properly objected to. After conducting this de novo review and having thoroughly considered the Magistrate Judge’s PFRD, the objections, and the response, the Court finds no reason either in law or fact to depart from the Magistrate Judge’s recommended disposition.

Pursuant to Rule 72(a), the Court has again reviewed all parts of the Magistrate Judge’s order that have been properly objected to. The standard of review for the order is whether it was “clearly erroneous” or “contrary to law.” Fed. R. Civ. P. 72(a). After conducting this review and having thoroughly considered the Magistrate Judge’s order, the objections, and the response, the

Court finds no reason either in law or fact to depart from the Magistrate Judge's order.

IT IS THEREFORE ORDERED AS FOLLOWS:

1. The Defendant's objections (Doc. 19) are OVERRULED;
2. The Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 18) are ADOPTED;
3. The Court DENIES defendants' Motion for Discovery (Doc. 10);
4. The Court hereby GRANTS plaintiffs' Motion to Remand (Doc. 6).



MARTHA VÁZQUEZ
SENIOR UNITED STATES DISTRICT JUDGE